

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION

SENTIUS INTERNATIONAL LLC, §  
§  
Plaintiff, § Case No. 2:16-CV-00773-JRG-RSP  
§  
v. §  
§  
BLACKBERRY LIMITED, §  
BLACKBERRY CORPORATION, §  
§  
Defendants. §

**ORDER**

Sentius International LLC (“Sentius”) objects to Magistrate Judge Payne’s recommendation that the BlackBerry defendants’ motion for summary judgment that claim 95 of U.S. Patent No. RE40,731 is invalid be granted because the patentee improperly broadened the original claim, in violation of 35 U.S.C. § 251. Having reviewed Sentius’s objections, and having considered Judge Payne’s Report and Recommendation *de novo*, the Court finds no reason to reject or modify the recommended disposition. *See* Fed. R. Civ. P. 72(b)(3); 28 U.S.C. § 636(b)(1)(C).

Accordingly, it is **ORDERED**:

- (1) Plaintiffs’ objections, Dkt. 78, are **OVERRULED**.
- (2) Magistrate Judge Payne’s Report and Recommendation, Dkt. 76, is **ADOPTED**.
- (3) Defendants’ motion for summary judgment, Dkt. 41, is **GRANTED**.
- (4) Claim 95 of U.S. Patent No. RE40,731 is **INVALID**.

**So Ordered this**

Sep 1, 2017

  
RODNEY GILSTRAP  
UNITED STATES DISTRICT JUDGE